

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present Amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 11-14 and 17-20 are pending in this application. Claims 11, 13, 17, and 19 are independent. Claims 11-14 and 17-20 are hereby amended. Claims 1-10, 15, 16, 21, and 22 have been canceled without prejudice to their subsequent prosecution in any continuing application or disclaimer of the proprietary rights set forth therein.

Support for this amendment is provided throughout the Specification as originally filed. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

Amendments to the claims have been made, obviating the objections to claims 11, 13, 15, 16, 17, 19, 21, and 22.

II. THE REJECTIONS UNDER 35 U.S.C. § 101

Claims 11-14 and 17-20 were rejected under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter. Claims 11, 13, 15, and 17 have been amended, obviating the rejection.

II. THE REJECTIONS UNDER 35 U.S.C. § 102(e)

Claims 11-22 were rejected under 35 U.S.C. § 102(e) as allegedly unpatentable over U.S. Publication No. 2005/0275626 to Mueller, et al.

Claim 11 recites, inter alia:

“...a parameterization step comprising an iteration, over all of the solar protection devices (3), of at least two of the following phases:

- (a) entry and recording of data defining an exposure of an opening fitted with the solar protection device (3) with respect to the sun;
- (b) entry and recording of data defining a type of solar protection device; and
- (c) entry and recording of data defining the maximum desired depth of penetration of the sun into a building, and/or a desired visual comfort...

a step of iterative calculation over all of the solar protection devices (3), whereby for each device, a control algorithm and/or coefficients for the control algorithm, intended for the control of the device, are calculated on the basis of the data, which is recorded in memory, and of general information characterizing the different types of solar protection devices and contained in memory; and

a step, whereby the coefficients and/or the control algorithms are modified in order to manage

conflicts and interactions between different devices;
and

a step of controlling the solar protective devices in
an operational mode in accordance with the control
algorithm.”

As understood by Applicants, U.S. Publication No. 2005/0275626 to Mueller, et al. (hereinafter, merely “Mueller”) relates to an entertainment lighting system.

Applicants submit that nothing has been found in Mueller that would teach of suggest the above-identified features of claim 11.

Furthermore, Applicants submit that the meaning given to the term of “visual comfort” by the Office Action is not consistent with that given in the Specification of the current application. Applicants submit that the term visual comfort, as can be seen at paragraph 22, can consist in a range of illumination values or a luminance ratio. Furthermore, “visual comfort” is user’s comfort as seen at paragraph 27. Additionally, paragraph 44 states “a comfortable environment for the user”.

Therefore, claim 11 is patentable.

For reasons similar to those recited above, claims 13, 17, and 19 are also patentable.

III. DEPENDENT CLAIMS

The other claims in the application are dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however,

the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

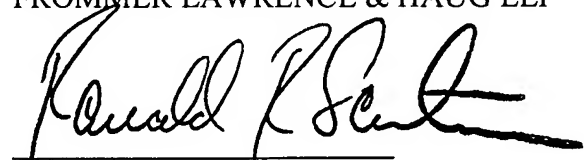
In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate the portion or portions of the reference providing the basis for a contrary view.

In view of the foregoing, it is believed that all of the claims in this application are patentable over the prior art, and an early and favorable consideration thereof is solicited.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,
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